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|  <p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTION AND COMMUNITY PUNISHMENT</p> | Section Number: AR 7.5 | Page Number: 1 |
| | Board Approval Date: 12/17/96 | |
| | Supersedes: N/A | Dated: |
| | Reference: | Effective Date: 01/28/97 |
| SUBJECT: COMMUNITY TRANSITION WORK/STUDY PROGRAMS | | |

- I. AUTHORITY.** The Board of Correction and Community Punishment (BCCP) is vested with the authority to promulgate this administrative regulation by Ark. Code Ann. §§ 12-27-105, 16-93-1203 and 16-93-1205 (Michie Supp. 1995).
- II. APPLICABILITY.** This regulation applies to Department of Community Punishment (DCP) employees and residents in Community Punishment Centers (CPC's).
- III. POLICY.** It is the policy of the DCP to help reintegrate offenders into the community by administering community work and study programs, for selected offenders, which allow participants to develop good work skills and habits, assume responsibility for his or her debts (including court ordered sanctions and restitutions and the provision of financial support to his or her family) and improve opportunities for future employment. Businesses and educational institutions participate by providing work and study opportunities in accordance with worksite and educational agreements.
- IV. DEFINITIONS.**
- A. Work Program.** A program whereby residents who meet program criteria can work on jobs outside the CPC's and be compensated for the work they perform.
- B. Study Program.** A program of education or training consisting of courses and/or skills training other than that available at the CPC.
- V. GUIDELINES.** Court orders regarding victim restitution, family support or other payments levied against an offender take precedence over this regulation. Financial obligations for study opportunities shall be the responsibility of the resident.
- A. Participation.** The DCP shall develop appropriate procedural guidelines including, at minimum, program placement criteria, rules, security issues, offender possession of money and other property, allocation of earnings, custodial management of offender earnings, offender transportation, staff training, and progress and incident reporting.
- B. Program Agreements.** The DCP shall develop appropriate work and study release agreements to ensure employer, educational institution and offender understanding of program goals, objectives, and rules. Primary consideration must be given to public, staff and offender safety and developing marketable skills.
- At minimum, work program agreements shall provide for a resident to be an employee entitled to the same benefits as other employees e.g. participation in the employer's medical, workers compensation and other benefits programs.

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2. Work, educational or training agreements will provide for necessary reporting of incidents, attendance, performance or course progress.

C. Offender Compensation.

1. The DCP will develop accounting procedures in accordance with State law and Department of Finance and Administration (DF&A) rules and regulations for monitoring, receiving and disbursing money earned by offenders. Any deviation from this policy regarding disposition of resident earnings must be court ordered or approved by the DCP Director.
2. To offset supervision costs, the DCP is authorized to assess a program fee of \$12.00 per day, seven (7) days per week for offenders participating in work programs. The DCP will ensure employers limit paycheck deductions to Social Security, Medicare, income taxes (claiming no more than himself or herself and eligible dependents), employer-sponsored health insurance plans for the resident and/or his or her immediate family, worker's compensation and court ordered payments/garnishments.
3. Priority for distribution of work program offender earnings shall be Federal and State taxes, court-ordered payments for family support and other mandates, restitution (when appropriate), fines and court costs, school loans and work program fees. Provisions shall be made for payment of necessary medical costs, as appropriate.
4. The DCP Director may establish guidelines for reducing or waiving the work program fee based upon a resident's ability to pay. Work program fees owed the DCP shall be deposited in the Community Punishment Revolving Fund (with restitution fees being managed in a separate account), as established in Ark. Code Ann. §12-27-133. CPC staff shall coordinate with Field Operations staff, when appropriate, to facilitate continuation of employment of a work program resident upon his or her release from a CPC. Program fees cease with payment made on the last payday prior to release from a CPC.

VI. STANDARDS. American Correctional Association (ACA) Standards for Adult Community Residential Services. 3d Edition, 3-ACRS-4G-01.